

## Message Text

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64

ACTION EB-07

INFO OCT-01 ISO-00 AF-06 ARA-06 EA-07 EUR-12 NEA-10 FEA-01

AGR-05 CEA-01 CIAE-00 COME-00 DODE-00 FRB-03 H-02

INR-07 INT-05 L-03 LAB-04 NSAE-00 NSC-05 PA-01 AID-05

CIEP-01 SS-15 STR-04 TAR-01 TRSE-00 USIA-06 PRS-01

SP-02 OMB-01 IO-10 OIC-02 /134 W

----- 010449

R 061715Z OCT 75

FM USDEL MTN GENEVA

TO SECSTATE WASHDC 574

INFO AMEMBASSY BONN

AMEMBASSY BRASILIA

AMEMBASSY BRUSSELS

USMISSIONEC BRUSSELS

AMEMBASSY BUENOS AIRES

AMEMBASSY CANBERRA

AMEMBASSY COPENHAGN

AMEMBASSY DUBLIN

AMEMBASSY THE HAGUE

AMEMBASSY HELSINKI

AMEMBASSY LONDON

AMEMBASSY LUXEMBOURG

AMEMBASSY MEXICO 814

AMEMBASSY NEW DELHI

AMEMBASSY PARIS 8410

USMISSION OECD PARIS

AMEMBASSY OSLO

AMEMBASSY OTTAWA

ROME 5364

AMEMBASSY PRAGUE

AMEMBASSY BUDAPEST

STOCKHOLM 1483

AMEMBASSY TOKYO

AMEMBASSY WARSAW

AMEMBASSY WELLINGTON

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PASS STR

H PASS CODEL

E.O. 11652: N/A

TAGS: ETRD, GATT

SUBJ: MTN: NTM SUBGROUP MEETING ON STANDARDS

1. SUMMARY. MEETING CHARACTERIZED BY POSITIVE AND CONSTRUCTIVE ATTITUDE OF ALL DELEGATIONS, INCLUDING EC. FEW CONCRETE RESULTS BUT DISCUSSIONS LED TO GREATER UNDERSTANDING OF CODE, PARTICULARLY BY LDCS. SUCH UNDERSTANDING ESSENTIAL FOR PROGRESS. LDCS GENERALLY AVOIDED RHETORIC PARTLY BECAUSE U.S. AND OTHER DEVELOPED COUNTRIES WILLING INCORPORATE SEVERAL LDC PROPOSALS INTO DRAFT CODE. END SUMMARY

2. NTM SUBGROUP ON TECHNICAL BARRIERS TRADE MET SEPTEMBER 23 OCTOBER 3. AS AGREED BY 7 PLUS 7, GATT SECRETARIAT (PETER WILLIAMS) CHAIRED MEETING. SUBGROUP CONSIDERED PROPOSED AMENDMENTS TO DRAFT STANDARDS CODE WITH PARTICULAR ATTENTION TO DEFINITIONS. MARKS OF ORIGIN ALSO DISCUSSED.

3. ECE DEFINITIONS: USE IN CODE OF EC DEFINITIONS (EXPECTED TO BE ADOPTED BY INTERNATIONAL ORGANIZATION FOR STANDARDIZATION LATER IN YEAR) IN PLACE OF PRESENT CODE DEFINITIONS WAS DISCUSSED IN GREAT DETAIL. MOST DELS PREFERRED ECE DEFINITIONS BUT DISAGREED ON METHOD AND EXTENT OF MODIFICATIONS NECESSARY TO RETAIN ORIGINAL INTENT OF CODE. NORDICS PROPOSED WHOLESALE ADOPTION CE DEFINITIONS MODIFIED ONLY WHEN NECESSARY BY FOOTNOTES. AS ALTERNATIVE TO CUMBERSOME FOOTNOTE APPROACH, U.S., AFTER CONSULTATION WITH CANADA, JAPAN, BRAZIL, AND INDIA, SUBMITTED ADAPTATION OF ECE DEFINITIONS. WITH CHARACTERISTIC EQUIVOCATION, LIMITED OFFICIAL USE

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EC (SCHLOSSER) APPEARED TO FAVOR BOTH APPROACHES, WHILE SUPPORTING NEITHER. ISSUE TO BE CONSIDERED AT NEXT MEETING.

4. TEXT OF CODE: CODE EXAMINED PARAGRAPH BY PARAGRAPH IN CONTEXT OF NUMEROUS PROPOSALS FOR AMENDMENTS. HOWEVER, NO ATTEMPT MADE TO RESOLVE KEY SUBSTANTIVE ISSUES, E.G., DISCRIMINATION IN CERTIFICATION

SYSTEMS AND DIFFERENT LEVELS OF OBLIGATIONS. MOST DELS, INCLUDING U.S., PREFERRED TO AWAIT CONSIDERATION ADMINISTRATIVE PROVISIONS (E.&., DISPUTE SETTLEMENT, ENFORCEMENT, RETROACTIVITY) FOLLOWING AGREEMENT ON OPERATIVE SECTIONS OF CODE. HOWEVER, EC EXPRESSED "VIOLENT OPPOSITION" TO USE OF PANELS FOR DISPUTE SETTLEMENT. CANADA NOTED EC "OPPOSITION" INCONSISTENT WITH EC ADVOCACY PANEL APPROACH IN U.S. COMPLAINT ACTION ON CANADIAN EGG QUOTA. CANADA ALSO INDICATED INTENTION SUBMIT EXTENSIVE REDRAFT OF THESE SECTIONS BEFORE NEXT SUBGROUP MEETING.

5. AGRICULTURE: COVERAGE OF AGRICULTURAL PRODUCTS BY CODE NOT AN ISSUE. U.S. PROPOSED AMENDMENT TO ECE DEFINITIONS THAT WOULD ENSURE THAT CODE APPLIES TO AGRICULTURAL PROCESSES AND CONDITIONS OF GROWTH NECESSARY TO PROTECT HEALTH AND SAFETY. EC MAINTAINED PREVIOUS POSITION THAT CODE COULD COVER AGRICULTURAL PRODUCTS BUT STRESSED DEFINITIVE DECISION WOULD HAVE TO BE MADE AT LATER DATE.

6. MARKS OF ORIGIN: U.S. (KELLY) SUCCESSFUL IN AVERTING ACCEPTANCE OF NORDIC PROPOSAL TO HAVE SUBGROUP MEMBERS JUSTIFY THEIR MARKS OF ORIGIN REQUIREMENTS AND EXPLAIN CONSEQUENCES SHOULD THEY BE ELIMINATED. PURSUANT TO U.S. SUGGESTION, SUBGROUP AGREED TO DEFER CONSIDERATION MARKS OF ORIGIN TO NEXT MEETING. EC INDICATED INTENTION TABLE PROPOSAL BEFORE NEXT MEETING. U.S. PROPOSED THAT ISSUE SHOULD BE HANDLED IN CUSTOMS MATTERS GROUP AND THAT CONSIDERATION AT THIS TIME OF COMPLEX MARKS OF ORIGIN ISSUE IN STANDARDS SUBGROUP WOULD DELAY PROGRESS ON STANDARDS CODE. LIMITED OFFICIAL USE

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7. KEY DELS: EC CLEARLY IN NO HURRY TO CONCLUDE CODE. HOWEVER, EC MORE POSITIVE AND FORTHCOMING THAN AT MAY MEETING. IN RESPONSE U.S. INQUIRY, EC STATED THAT UPON SIGNING CODE EC WILL ACCEPT FIRST LEVEL OF OBLIGATION UNDER CODE AS "CENTRAL GOVERNMENT BODY." HERETOFORE, EC HAD INDICATED THIS ONLY PRIVATELY. JAPAN NOT VERY ACTIVE. NEW JAPAN REP (TERADA) NOT WELL VERSED IN SUBJECT AND DOZED THROUGH SEVERAL MEETINGS. AS IN PAST CANADA (DENIS, DOUGLAS) SIDED WITH U.S. ON VIRTUALLY ALL ISSUES. NORDICS (STALBERG) VERY ACTIVE IN ADVOCATING USE OF ECE DEFINITIONS IN SPITE OF INITIAL MORE FLEXIBLE PAPER SUBMITTED BY BERGHOLM (FINLAND) ON A PERSONAL BASIS.

8. LDCS: LDCS, ESPECIALLY BRAZIL, ARGENTINA, MEXICO, COLOMBIA AND EGYPT, VOCAL, SOMETIMES VERBOSE, BUT FOR MOST PART CONSTRUCTIVE. U.S. EXPRESSED STRONG SUPPORT FOR PRACTICAL APPLICATION OF PRINCIPLES CONTAINED IN TOKYO DECLARATION. SUBGROUP ACCOMMODATED SEVERAL LDC PROPOSALS, E.G., CONSULTATIONS, UPON REQUEST, PRIOR TO ADOPTION OF MANDATORY STANDARDS, AND TRANSITIONAL PERIODS PRIOR TO EFFECTIVE DATE OF STANDARDS REFLECTING REQUIREMENTS OF LDCS. HOWEVER, NO PROPOSALS FOR DIFFERENTIAL TREATMENT BETWEEN DCS AND LDCS ACCEPTED.

9. TIMING OF NEXT MEETING: U.S. PRESSED FOR SUBGROUP MEETING BEFORE END OF YEAR IN ORDER TO MAINTAIN MOMENTUM. EC SUPPORTED BY OTHER DELS SAID MEETING NOT FEASIBLE BEFORE NEXT YEAR. U.S. RELUCTANTLY AGREED TO TWO WEEK MEETING BEGINNING JANUARY 27. WALKER

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## Message Attributes

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**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** STANDARDS, MEETING AGENDA, LESS DEVELOPED COUNTRIES, TRADE CONTROLS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 06 OCT 1975  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** SmithRJ  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
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**Disposition History:** n/a  
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**Enclosure:** n/a  
**Executive Order:** N/A  
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**Original Previous Classification:** n/a  
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**Review Authority:** SmithRJ  
**Review Comment:** n/a  
**Review Content Flags:**  
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**Review Exemptions:** n/a  
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**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
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**Subject:** MTN: MTN SUBGROUP MEETING ON STANDARDS  
**TAGS:** ETRD, GATT, MTN  
**To:** STATE  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006